

## REMARKS

### Status of the Claims

Claims 1-26 are pending in this application.

Claims 1, 2, 7, 9-11, 17, 18, 20 and 22-25 are rejected.

Claims 3-6, 8, 12-15, 17, 19 and 21 are objected to.

Claim 26 is allowed.

### Rejection of Claims 1, 2, 7, 9-11, 17, 18, 20 and 22-25 Under 35 U.S.C. § 102(b)

Claims 1, 2, 7, 9-11, 17, 18, 20 and 22-25 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 4,158,910 to Hanas, et al. (hereafter Hanas '910). The Applicant respectfully traverses and requests reconsideration of the 35 U.S.C. § 102(b) rejection of claims 1, 2, 7, 9-11, 17, 18, 20 and 22-25.

In order for this rejection to stand, a single prior art reference must disclose each and every limitation of the claim sought to be rejected. A claim in dependent form shall be construed to incorporate all the limitations of the claim from which it depends.

Independent claims 1 and 18 and dependant claims 2, 7, 9-11, and 17 which directly or ultimately depend from claim 1 all require "a tool package formed by said upper adaptor and said lower adaptor, wherein said tool package can be interchanged with a different tool package." See claims 1 and 18. The Applicant respectfully submits that this limitation is not disclosed by Hanas '910.

The Office Action stated that Hanas '910 "discloses a molding press comprising all the elements claimed, ineter alia, a lower adaptor (46,34); and upper adaptor (32,44);

a tool package formed by the same; a lower shoe detail (10); and an upper shoe detail (8)."

Hanas '910 does not disclose an interchangeable tool package formed by an upper adaptor and a lower adaptor, both of which include a forming plate, that can be interchanged as a unit with a different tool package. Hanas '910 discloses a "pair of adaptors, 44, 46 to be used with respective ones of the large frames 8, 10 for accommodating the small die inserts 32,34 therein. Col. 3, lines 65 – 68. "When the small die inserts 32, 34 are to be used, the adaptors 44, 46 are first inserted in respective ones of the large recesses of the large frames 8,10." Col 4, lines 4 – 8.

By contrast, the rejected claims 1 2, 7, 9-11, 17, and 18 require a tool package formed by the connection of the upper adaptor and lower adaptor, where the tool package can be interchanged with a different tool package. To accommodate the formed tool package, a lower shoe detail is configured to receive the lower adaptor and an upper shoe detail is configured to receive the upper adaptor. The upper shoe and lower shoe details do not form part of the tool package.

The Applicant therefore respectfully submits that independent claims 1 and 18 and dependant claims 2, 7, 9-11, and 17 that depend upon claim 1 define over the prior art cited by the Examiner. Thus, Applicant respectfully requests withdrawal of the rejection.

Independent claim 20 and dependant claims 22-25 that directly or ultimately depend from claim 20 disclose a method of interchanging tool packages by removing a "first tool package from said press" and inserting a "second tool package into said press. A tool package is formed by a lower adaptor and an upper adaptor. See claim 20. The Applicant respectfully submits that these limitations are not disclosed by Hanas '910.

As reasoned above, Hanas '910 does not disclose an interchangeable tool package formed by an upper adaptor and a lower adaptor that can be interchanged together with a different tool package. Further, Hanas '910 does not disclose the formation of a first tool package within the press wherein the first upper adaptor engages the first lower adaptor and then disconnecting the upper adaptor from the upper shoe detail and the lower adaptor from the lower shoe detail and removing the tool package prior to inserting a second tool package into the press. See claim 20. By contrast, Hanas '910 discloses "inserting an adaptor into a respective" support frame and then inserting die inserts into the "corresponding . . . adaptors." Col 5, line 10 – 16.

Claim 20 requires a method of interchanging tool packages wherein the first tool package is formed from the first upper adaptor and first lower adaptor. Once the first tool package is removed, a second tool package can be inserted into the press that is formed by a second upper adaptor and second lower adaptor. The second lower adaptor is then connected to the lower shoe detail and a second upper adaptor is connected to an upper shoe detail. Thus, the present invention discloses a method for replacing both the lower adaptor and the upper adaptor in the press with a tool package formed by the upper adaptor and lower adaptor.

The Applicant therefore respectfully submits that independent claim 20 and dependant claims 22-25 define over the prior art cited by the Examiner. Thus, Applicant respectfully requests withdrawal of the rejection.

Additionally, the Applicant respectfully submits that Hanas '910 does not render claims 1, 2, 7, 9-11, 17, 18, 20 or 22-25 obvious. The obviousness standard requires there to be some suggestion, either in reference or in the relevant art, of how to modify

what is disclosed to arrive at the claimed invention. Further, dependent claims include all the limitations of the claims from which they depend.

The Office Action stated that Hanas '910 "discloses a molding press comprising all the elements claimed, in *inter alia*, a lower adaptor (46, 34); and upper adaptor (32,44); a tool package formed by the same; a lower shoe detail (10); and an upper shoe detail (8)." However, the Applicant respectfully submits that Hanas '910 fails to teach, suggest, or motivate one having ordinary skill in the art to form an interchangeable tool package having an upper adaptor and lower adaptor. Nor does Hanas '910 teach, suggest, or motivate one having ordinary skill in the art to remove a first formed tool package as a unit and interchange it with a second formed interchangeable tool package.

#### **Rejection of Claim 16 Under 35 U.S.C. § 103(a)**

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanas '910. Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claim 16.

The standard for obviousness is that there must be some suggestion, either in reference or in the relevant art, of how to modify what is disclosed to arrive at the claimed invention. Further, dependent claims include all the limitations of the claims from which they depend.

Defendant claim 16 requires "a tool package formed by said upper adaptor and said lower adaptor, wherein said tool package can be interchanged with a different tool package." See claim 1 from which claim 16 depends. Additionally, claim 16 requires "a tool package for a punch press having a lower adaptor having a forming surface and

one or more punch cores . . . , and an upper adaptor having a forming surface and one or more punches configured to align with said holes . . ." See claim 16. The Applicant respectfully submits that these limitations are not disclosed by Hanas '910.

The Office Action stated in part that "Hanas et al disclose the invention substantially as claimed except for the intent of the same for a punch press. However, it is the Examiner's opinion that the teachings of Hanas et al are equally applicable to punch presses in that both a molding press and punch press include interchangeable dies."

The Applicant submits that Hanas '910 does not teach or suggest an interchangeable tool package formed by an upper adaptor and a lower adaptor that can be interchanged together as a unit with a different tool package. See claim 1. Hanas '910 discloses a "pair of adaptors, 44, 46 to be used with respective ones of the large frames 8,10 for accommodating the small die inserts 32,34 therein. Col. 3, lines 65 – 68. "When the small die inserts 32, 34 are to be used, the adaptors 44, 46 are first inserted in respective ones of the large recesses of the large frames 8,10." Col 4, lines 4 – 8. Thus, the Applicant respectfully maintains that Hanas '910 does not teach, suggest, or motivate one having ordinary skill in the art to form a tool package made of an upper and lower adaptor that may be interchanged with a second tool package; whether used in a punch press or otherwise.

Therefore, the Applicant respectfully submits that claim 16 is not rendered obvious in light of Hanas '910 and thus, respectfully requests withdrawal of the objection.

**Allowable Matter**

The Office Action states that claim 26 is allowable subject matter. The Applicant thanks the Examiner for allowing this matter.

Claims 3-6, 8, 12-15, 17, 19 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant respectfully submits that the rejections to independent claims 1, 18, and 20 have been traversed and that the respective dependent claims include all the limitations of the claims from which they depend. Claims 2, 7, 9-11, and 17 are dependant upon rejected claim 1, and claims 22-25 are dependant upon rejected claim 20. Therefore, the Applicant respectfully requests withdrawal of the rejection of claims 1, 18, and 20, and thus withdrawal of the objection to dependant claims 3-6, 8, 12-15, 17, 19 and 21.

**CONCLUSION**

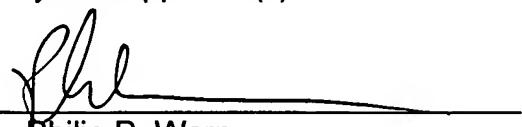
It is respectfully submitted that in view of the above amendments and remarks that claims 1-26, as presented, are patentably distinguishable because the cited patent, whether taken alone or in combination, do not anticipate or render obvious, the claims of the present invention. Therefore, Applicant submits that the pending claims are properly allowable, which allowance is respectfully requested.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Respectfully submitted,

WARN, HOFFMANN, MILLER & LALONE, P.C.  
Attorneys for Applicant(s)

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By:   
Philip R. Warn  
Reg. No. 32775

P.O. Box 70098  
Rochester Hills, MI 48307  
(248) 364-4300

PRW:GLO:cah